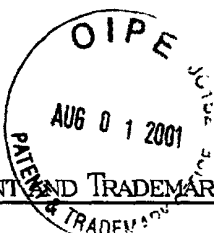




UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/824,551	04/04/2001	Brigitte Bathe	P 280106 000457 BT

CONFIRMATION NO. 9440

FORMALITIES LETTER



OC000000006145113

00909

PILLSBURY WINTHROP LLP
1100 NEW YORK AVENUE, N.W.
9TH FLOOR
WASHINGTON, DC 20005

10/10/2001 YGIZAW 00000005 09824551

Date Mailed: 06/04/2001

01 FC:103 36.00 DP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/03/2001 AZERBAMI 00000041 09824551

01 FC:101 710.00 DP
02 FC:103 324.00 DP
03 FC:102 80.00 DP
04 FC:104 270.00 DP
05 FC:105 130.00 DP
06 FC:109 130.00 DP

FILED UNDER 37 CFR 1.53(b)

Adjustment date: 10/10/2001 YGIZAW
08/03/2001 AZERBAMI 00000041 09824551
02 FC:103 -324.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 970.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

Repln. Ref: 10/10/2001 YGIZAW 0012365700

DA# 033975 Name/Number: 09824551

FC: 704

\$288.00 CR

drawing figures contain text that is not in English (including, for example, a flow

chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

A copy of this notice MUST be returned with the reply.

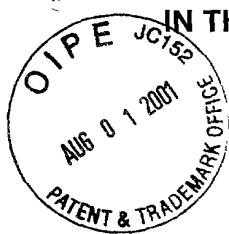
M. Ding

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

092454-030103
"T-030" T-030



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(f)

In re PATENT APPLICATION of
Inventor(s): BATHE et al.

Attn: Application Division

Appln. No.: 09 824,551 Atty.Dkt. P 280106 000457 BT
Series Code ↑ Serial No. ↑ M# Client Ref

Filed: April 4, 2001

Title: Novel nucleotide sequences encoding the luxS gene

Hon. Commissioner of Patents
Washington,DC 20231

Date: August 1, 2001

Sir:
The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received

2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☒ Specification originally filed in non-English language; hence verified translation attached of:

a. ☒ Abstract

b. # 36 pages of Specification(only spec. & claims)

c. ☒ Drawing(s) 1
No of Sheets

☒ Fig(s). 1

4. ☐ Letter filing formal drawing attached.

5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in GERMANY

Application No.	Filing Date	Application No.	Filing Date
(1) DE 100 44 755.4	September 9, 2000	(2) DE 101 12 105.9	March 14, 2001
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☐ Attached:
12. ☐ Amendment

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code
13. Basic Filing Fee Design Application				\$320/\$160	710	106/26
Not Design Application				\$710/\$355	+0	101/201
14. Total Effective Claims	38	minus 20 =	18	x \$18/\$9	+324	103/203
15. Independent Claims	4	minus 3 =	1	x \$80/\$40	+80	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+270	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. FILING FEE ENCLOSED =				\$1514		
19. Original due date: August 4, 2001						
20. Petition is hereby made to extend the <u>original</u> due date to (1 mo) \$110/\$55 = +0 115/215						
cover the date this response is filed for which the requisite fee (2mos) \$390/\$195 = 116/216						
is attached (3mos) \$890/\$445 = 117/217						
(4mos) \$1390/\$695 = 118/218						
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+130	139
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. TOTAL FEE ENCLOSED =				\$1684		

Our Deposit Account No. 03-3975

Our Order No. 21123 280106

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

1600 Tysons Boulevard

By Atty: Michael A. SanzoReg. No. 36912

McLean, VA 22120

Sig: Michael A. Sanzo

Fax: (703) 905-2500

Tel: (703) 905-2000

Tel: (703) 905-2173

Atty/Sec: MAS/AMX

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments